



# House of Representatives

General Assembly

**File No. 602**

*January Session, 2007*

House Bill No. 7151

*House of Representatives, April 26, 2007*

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

***AN ACT CONCERNING THE CLOSURE OF THE CONNECTICUT JUVENILE TRAINING SCHOOL AND THE ESTABLISHMENT OF REGIONAL TRAINING, REHABILITATION AND EDUCATION CENTERS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1      Section 1. (NEW) (*Effective July 1, 2007*) The Commissioner of  
2      Children and Families shall establish a pilot program in one region of  
3      the state, as determined by the commissioner, for the purpose of  
4      developing a comprehensive system of community-based services for  
5      children in the juvenile justice system who have been committed to the  
6      Department of Children and Families. The pilot program shall support  
7      the reintegration of such children into the community by (1) enhancing  
8      the capacity of local resources, agencies and organizations to furnish  
9      support for such children and their families, and (2) providing for  
10     intensive in-home clinical services, care coordinators, educational  
11     advocates, access to systems of care and support, mentoring services,  
12     respite care and case management assistance. Not later than February  
13     1, 2008, the commissioner shall submit a report to the joint standing

14 committee of the General Assembly having cognizance of matters  
15 relating to the judiciary, in accordance with section 11-4a of the general  
16 statutes, concerning the operation and effectiveness of the pilot  
17 program established under this section and the commissioner's  
18 recommendations for the state-wide implementation of the system of  
19 community-based services developed under the pilot program and the  
20 integration of that system with the regional training, rehabilitation and  
21 education centers established pursuant to section 2 of this act.

22       Sec. 2. (NEW) (*Effective July 1, 2007*) (a) On and after the date on  
23 which residential placements of male children at the Connecticut  
24 Juvenile Training School cease to be made because of the planned  
25 closure of said school, any male child who is convicted as delinquent  
26 and committed to the Department of Children and Families and who is  
27 determined by the department to be in the highest risk level, as  
28 provided in subsection (j) of section 46b-140 of the general statutes, as  
29 amended by this act, shall be placed by the Commissioner of Children  
30 and Families at a regional training, rehabilitation and education center  
31 established in accordance with subsection (b) of this section. The  
32 commissioner shall place such child in the regional training,  
33 rehabilitation and education center for the geographic region in which  
34 such child has his principal place of residence.

35       (b) Not later than the date on which residential placements of male  
36 children at the Connecticut Juvenile Training School cease to be made  
37 because of the planned closure of said school, the Commissioner of  
38 Children and Families shall establish not less than three regional  
39 training, rehabilitation and education centers in this state for male  
40 children convicted as delinquent who require placement in a secure  
41 residential facility, and shall designate the geographic region served by  
42 each center. Each regional training, rehabilitation and education center  
43 shall (1) house not more than twenty-four male children at one time,  
44 (2) have adequate and secure residence facilities, school facilities and  
45 recreation areas, and (3) provide clinical treatment, educational,  
46 employment, family support, rehabilitation, case management and  
47 other services focused on the successful reintegration of such children

48 into the community.

49 Sec. 3. (NEW) (*Effective July 1, 2007*) (a) The Connecticut Juvenile  
50 Training School shall not be closed, and residential placements of male  
51 children at said school shall not cease to be made, until such time as  
52 the regional training, rehabilitation and education centers required  
53 pursuant to section 2 of this act are fully operational and capable of  
54 providing all required services.

55 (b) The site and facilities of the Connecticut Juvenile Training  
56 School, or any part of such site and facilities, shall not be used by the  
57 state as a correctional institution or facility or a juvenile detention  
58 center at any time after the closure of said school.

59 Sec. 4. Subsection (b) of section 17a-11 of the general statutes is  
60 repealed and the following is substituted in lieu thereof (*Effective July*  
61 *1, 2007*):

62 (b) A child or youth voluntarily admitted to the department shall be  
63 deemed to be within the care of the commissioner until such admission  
64 is terminated. The commissioner shall terminate the admission of any  
65 child or youth voluntarily admitted to the department within ten days  
66 after receipt of a written request for termination from a parent or  
67 guardian of any such child under fourteen years of age, or from [a]  
68 such child if such child is fourteen years of age or older, or from such  
69 youth, unless prior to the expiration of that time the commissioner has  
70 sought and received from the Superior Court an order of temporary  
71 custody as provided by law. The commissioner may terminate the  
72 admission of any child or youth voluntarily admitted to the  
73 department after giving reasonable notice in writing to the parent or  
74 guardian of any such child under fourteen years of age, [and to a] or to  
75 such child if such child is fourteen years of age or older, [and to any] or  
76 to such youth. Any child or youth admitted voluntarily to the  
77 department may be placed in, or transferred to, any resource, facility  
78 or institution within the department or available to the commissioner  
79 except the Connecticut Juvenile Training School or a regional training,  
80 rehabilitation and education center established pursuant to section 2 of

81 this act, provided the commissioner shall give written notice to such  
82 child or youth and to the parent or guardian of the child of the  
83 commissioner's intention to make a transfer at least ten days prior to  
84 any actual transfer, unless written notice is waived by those entitled to  
85 receive it, or unless an emergency commitment of such child or youth  
86 is made pursuant to section 17a-502.

87 Sec. 5. Section 17a-12 of the general statutes is repealed and the  
88 following is substituted in lieu thereof (*Effective July 1, 2007*):

89 (a) When the commissioner, or the commissioner's designee,  
90 determines that a change of program is in the best interest of any child  
91 or youth committed or transferred to the department, the  
92 commissioner, or the commissioner's designee, may transfer such  
93 [person] child or youth to any appropriate resource or program  
94 administered by or available to the department, to any other state  
95 department or agency, or to any private agency or organization within  
96 or without the state under contract with the department; provided no  
97 child or youth voluntarily admitted to the department under section  
98 17a-11, as amended by this act, shall be placed or subsequently  
99 transferred to the Connecticut Juvenile Training School or a regional  
100 training, rehabilitation and education center established pursuant to  
101 section 2 of this act; and further provided no transfer shall be made to  
102 any institution, hospital or facility under the jurisdiction of the  
103 Department of Correction, except as authorized by section 18-87,  
104 unless it is so ordered by the Superior Court after a hearing. When, in  
105 the opinion of the commissioner, or the commissioner's designee, a  
106 person fourteen years of age or older is dangerous to himself or herself  
107 or others or cannot be safely held at the Connecticut Juvenile Training  
108 School or a regional training, rehabilitation and education center  
109 established pursuant to section 2 of this act, if a male, or at any other  
110 facility within the state available to the Commissioner of Children and  
111 Families, the commissioner, or the commissioner's designee, may  
112 request an immediate hearing before the Superior Court on the docket  
113 for juvenile matters where such person was originally committed to  
114 determine whether such person shall be transferred to the John R.

115 Manson Youth Institution, Cheshire, if a male, or the Connecticut  
116 Correctional Institution, Niantic, if a female. The court shall, within  
117 three days of the hearing, make such determination. If the court orders  
118 such transfer, the transfer shall be reviewed by the court every six  
119 months thereafter to determine whether it should be continued or  
120 terminated, unless the commissioner has already exercised the powers  
121 granted to the commissioner under section 17a-13 by removing such  
122 person from the John R. Manson Youth Institution, Cheshire or the  
123 Connecticut Correctional Institution, Niantic.

124 (b) Unless ordered by the Superior Court at the time of  
125 commitment, no child or youth committed to the commissioner shall  
126 be placed in or transferred to a state-operated residential mental health  
127 facility under the jurisdiction of the commissioner without a hearing  
128 before the commissioner or the commissioner's designee. Such hearing  
129 shall be conducted in accordance with the provisions of chapter 54.

130 (c) Notwithstanding the provisions of subsection (b) of this section,  
131 (1) any delinquent child, if a male, may be placed at any time in the  
132 Connecticut Juvenile Training School or a regional training,  
133 rehabilitation and education center as provided in section 2 of this act,  
134 and (2) the commissioner may transfer any child or youth committed  
135 to the commissioner to any institution, hospital or facility for mentally  
136 ill children under the commissioner's jurisdiction for a period not to  
137 exceed fifteen days if the need for such emergency treatment is  
138 certified by a psychiatrist licensed to practice medicine by the state.

139 Sec. 6. Subsection (j) of section 46b-140 of the general statutes is  
140 repealed and the following is substituted in lieu thereof (*Effective July*  
141 *1, 2007*):

142 (j) Except as otherwise provided in this section, the court may order  
143 that a child be (1) committed to the Department of Children and  
144 Families and [be] placed directly in a residential facility within this  
145 state and under contract with said department, or (2) committed to the  
146 Commissioner of Children and Families for placement by the  
147 commissioner, in said commissioner's discretion, (A) with respect to

148 the juvenile offenders determined by the Department of Children and  
 149 Families to be in the highest risk level, in the Connecticut Juvenile  
 150 Training School or a regional training, rehabilitation and education  
 151 center as provided in section 2 of this act, if the juvenile offender is a  
 152 male, or in another state facility, presumptively for a minimum period  
 153 of twelve months, or (B) in a private residential or day treatment  
 154 facility within or outside this state, or (C) on parole. The commissioner  
 155 shall use a risk and needs assessment classification system to ensure  
 156 that male children who are in the highest risk level will be placed in  
 157 the Connecticut Juvenile Training School or a regional training,  
 158 rehabilitation and education center as provided in section 2 of this act.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2007</i>	New section
Sec. 2	<i>July 1, 2007</i>	New section
Sec. 3	<i>July 1, 2007</i>	New section
Sec. 4	<i>July 1, 2007</i>	17a-11(b)
Sec. 5	<i>July 1, 2007</i>	17a-12
Sec. 6	<i>July 1, 2007</i>	46b-140(j)

**JUD**      *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

### **OFA Fiscal Note**

#### **State Impact:**

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
Children & Families, Dept.	GF - Cost	See Below	See Below
Comptroller Misc. Accounts (Fringe Benefits)	GF - Cost	See Below	See Below

Note: GF=General Fund

#### **Municipal Impact:** None

#### **Explanation**

##### Pilot Community-Based Services for Delinquents

The bill requires the Department of Children and Families (DCF) to establish a pilot community-based regional service system for children committed as delinquent, effective 7/1/07. Services shall include, but not be limited to, intensive in-home clinical services, care coordinators, educational advocates, systems of care, mentoring services, respite care and case management. The department must submit a report and recommendations concerning statewide implementation by 2/1/08.

The DCF currently contracts with one private provider for an Education, Re-entry and Support Program and a School-Based Juvenile Delinquency Program within Hartford. Should the Hartford project, which is designed to serve approximately 45 children a year, be eligible for designation as the regional pilot project, the agency could modify its existing contract with the provider to ensure the availability of each service itemized within the bill and report on the project without requiring additional resources.

However, if the bill is instead interpreted to require the agency to develop new programming within a different region (i.e., outside Hartford), approximately \$900,000 would be required to support

annual costs of a pilot project serving about 45 youth. No funding has been included within sHB 7077, as favorably reported by the Appropriations Committee, to establish a new regional pilot program.

Connecticut Juvenile Training School/Training, Rehabilitation and Education Centers

The bill specifies that the highest-risk male delinquents committed to DCF must be placed at three or more regional Training, Rehabilitation and Education Centers (TREC), on and after the date on which placements at the Connecticut Juvenile Training School (CJTS) cease. Each TREC must have no more than 24 beds, and children placed within a specific TREC must come from the geographic region in which it is located. Given these restrictions, it is estimated that at least 5 TRECs would have to be constructed to accommodate the same number of youth currently residing at CJTS.

Capital costs associated with a 24-bed TREC are estimated at \$15 million (\$75 million in aggregate if 5 are built). Operating costs, including fringe benefits<sup>1</sup>, are estimated at over \$9 million each (over \$45 million in aggregate). Offsetting savings would be associated with terminating CJTS' operation. The facility has a current operating cost, including fringe benefits, of approximately \$34.6 million.

The bill further states that admissions to CJTS may not cease until each TREC is fully operational and capable of providing all services identified within Section 2(b). Significant future costs may be associated with this provision, to the extent that it restricts the agency's ability to gradually transition children from CJTS. Resulting costs

---

<sup>1</sup> The fringe benefit costs for state employees are budgeted centrally in the Miscellaneous Accounts administered by the Comptroller. The estimated first year fringe benefit rate for a new employee as a percentage of average salary is 25.8%, effective July 1, 2006. The first year fringe benefit costs for new positions do not include pension costs. The state's pension contribution is based upon the prior year's certification by the actuary for the State Employees Retirement System (SERS). The SERS 2006-07 fringe benefit rate is 34.4%, which when combined with the non pension fringe benefit rate totals 60.2%.



would be associated with supporting duplicative staffing and other expenses around the time of the transition.

While the Governor's recommended bond bill included \$5 million to allow the DCF to plan and develop TRECs, this funding has not been included within sSB 1119 ("AA Authorizing Bonds of the State for Capital Improvements and Other Purposes"), as favorably reported by the Finance, Revenue and Bonding Committee.

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

---

**OLR Bill Analysis****HB 7151*****AN ACT CONCERNING THE CLOSURE OF THE CONNECTICUT JUVENILE TRAINING SCHOOL AND THE ESTABLISHMENT OF REGIONAL TRAINING, REHABILITATION AND EDUCATION CENTERS.*****SUMMARY:**

This bill requires the Department of Families and Children (DCF) commissioner to replace the Connecticut Juvenile Training School (CJTS, the state's secure detention facility for the highest-risk delinquent boys) with at least three regional training, rehabilitation, and education centers (TRECs). It directs the commissioner to continue placing these boys at CJTS until the TRECs are fully operational.

The bill also requires DCF to establish a pilot program for DCF-committed children in the juvenile justice system. The program's purpose is to develop and provide comprehensive community-based services for families and children returning home from DCF placements.

Finally, the bill prohibits the state from using any part of the CJTS site or facilities for correction or juvenile detention services after CJTS closes.

EFFECTIVE DATE: July 1, 2007

**TRECs**

The commissioner must establish TRECs in at least three regions and designate the geographic areas each serves. DCF must place each delinquent boy it assesses as being in its highest level of risk in the TREC serving the area where he primarily resides. Each TREC must:

1. house no more than 24 boys at once;
2. have adequate and secure residential and school facilities and recreation areas; and
3. provide clinical treatment and educational, employment, family support, rehabilitation, case management, and other services focused on successfully reintegrating children into the community.

The bill applies the same placement and transfer standards and rules to TRECs as existing law applies to CJTS.

### **PILOT PROGRAM**

The DCF commissioner must select the region where it will operate the reintegration pilot program. The program must support delinquent children returning home by:

1. enhancing the capacity of local resources, agencies, and organizations to furnish support for the children and their families and
2. providing for intensive in-home clinical services, case coordinators, educational advocates, access to systems of care and support, mentoring services, respite care, and case management assistance.

The commissioner must report to the Judiciary Committee by February 1, 2008 about the pilot program's operation and effectiveness. The report must include recommendations to expand the program statewide and how to integrate it with the TRECs.

### **COMMITTEE ACTION**

Judiciary Committee

Joint Favorable

Yea 41      Nay 0      (04/12/2007)